

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
EASTERN DIVISION

## ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #33) to the Recommendation of the Magistrate Judge filed on March 28, 2007 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #32) entered on March 23, 2007 is adopted;
3. The defendant Opelika Housing Authority's Motion to Dismiss (Doc. #12) is GRANTED.
4. The plaintiff's Motion to Certify Class (Doc. #21) and Motion for Deposit Under Rule 67 (Doc. #29) are DENIED as moot.
5. This action is DISMISSED with prejudice.

DONE this the 18th day of April, 2007.

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/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE